

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

Andrew Albert,)
Plaintiff,)
v.)
Oshkosh Corporation, *et al.*,)
Defendants.)
Case No. 1:20-cv-901-WCG

DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY

Pursuant to Civil L.R. 7(k), Defendants Oshkosh Corporation, the Oshkosh Board of Directors, and the Administrative Committee of the Oshkosh Corporation and Affiliates Employee Benefit Plans (together, “Defendants”), by and through their attorneys, hereby submit this notice of supplemental authority. *Richard A. Kong v. Trader Joe’s Company*, No. 20-cv-05790, 2020 WL 7062395 (C.D. Cal. Nov. 30, 2020) (copy attached as **Exhibit 1**) is relevant to Sections III.B, III.C, and III.D of the Memorandum of Law in Support of Defendants’ Motion to Dismiss Plaintiff’s Amended Complaint, ECF No. 26.

s/ Samuel D. Block

Dated: December 8, 2020

Deborah S. Davidson
Samuel D. Block
Morgan, Lewis & Bockius LLP
77 West Wacker Drive, Fifth Floor
Chicago, IL 60601
Telephone: 312.324.1159
Fax: 312.324.1001
deborah.davidson@morganlewis.com
samuel.block@morganlewis.com

Bernard J. Bobber
Kevin J. Kinney

Jeremy P. Blumenfeld
Morgan, Lewis & Bockius LLP

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
1243 North 10th Street, Suite 200
Milwaukee, WI 53205
Telephone: 414.239.6300
Fax: 414.755.8289
bernard.bobber@ogletree.com
kevin.kinney@ogletree.com

Mark E. Schmidtke
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
56 S. Washington Street, Suite 302
Valparaiso, IN 46383
Telephone: 219.242.8668
Fax: 219.242.8669
mark.schmidtke@ogletree.com

1701 Market Street
Philadelphia, PA 19103
Telephone: 215.963.5258
Fax: 215.963.5001
jeremy.blumenfeld@morganlewis.com

Matthew J. Sharbaugh
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004
Telephone: 202.739.5623
Fax: 202.739.3001
matthew.sharbaugh@morganlewis.com

Attorneys for Defendants